● PRINTER RUSH ●
(PTO ASSISTANCE)

Application : 10/003,093	Examiner : Rivera	GAU : 2655
From: MWD	Location: DC FMF FDC	Date: 12/19/05

Tracking #: FM-10/003,093 Week Date: 11/28/05

DOC CODE	DOC DATE	MISCELLANEOUS
☐ 1449	_____	☐ Continuing Data
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[RUSH] MESSAGE:

① Pgs. 15, 18, 20, 21 and 23 are missing from the specification. Please advise.

Thanks

[XRUSH] RESPONSE:

See misc comm

Done All missing pgs provided.

INITIALS: ___

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04

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fax confidential

To: **USPTO**
Fax Number: 1 571 273-9009

From: **Richard C. Irving**
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Pages: 9
Date/Time: 1/17/2006 1:33:21 PM
Subject: Appllication 10/003,093 Response to Notice to File Corrected Application Papers
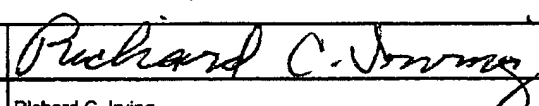
TRANSMITTAL FORM

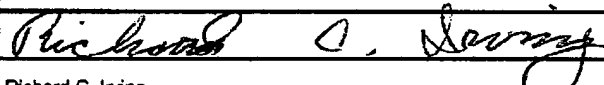*(to be used for all correspondence after initial filing)*

Application Number	10/003,093
Filing Date	November 2, 2001
First Named Inventor	Joern Ostermann
Art Unit	2655
Examiner Name	Minerva Rivero
Total Number of Pages in This Submission	Attorney Docket Number	2000-0600C

ENCLOSURES   *(Check all that apply)*

☐ Fee Transmittal Form
  ☐ Fee Attached
☐ Amendment/Reply
  ☐ After Final
  ☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Reply to Missing Parts/ Incomplete Application
  ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____
  ☐ Landscape Table on CD

Remarks

☐ After Allowance Communication to TC
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☑ Other Enclosure(s) (please identify below):
Response to Notice to Correct Application Papers, Pages 15, 18, 20, 21 and 23 of original specification, Copy of Notice to Correct Application Papers

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Office of T.M. Isaacson		
Signature	*[signature]*		
Printed name	Richard C. Irving		
Date	January 17, 2006	Reg. No.	38,499

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Signature	*[signature]*		
Typed or printed name	Richard C. Irving	Date	January 17, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
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Serial Number
10003093

Date Mailed
1/06/06

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

♦ Original pages 15, 18, 20, 21, and 23 are missing from the specification. Fax missing information to number below or e-mail.

    o For status updates visit http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR System, contact the Electronic Business Center (EBC) toll free at 866-217-9197.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice MUST be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Application/Control Number: 10/003,093   Docket No.: 2000-0600C
Art Unit: 2655

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
                                               :
Joern Ostermann   : Attorney Ref.: 2000-0600C
                                               :
Serial No.: 10/003,093   : Confirmation No.: 5351
                                               :
Filed: November 2, 2001   : Art Unit: 2655
                                               :
FOR: METHOD FOR SENDING MULTI-   : Examiner: Minerva Rivero
MEDIA MESSAGES USIUNG
CUSTOMIZABLE BACKGROUND
IMAGES (as amended on December 30,
2004)

RESPONSE TO NOTICE TO CORRECT APPLICATION PAPERS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are pages 15, 18, 20, 21 and 23 of the originally filed specification, as

requested in the Notice to File Corrected Application Papers, dated January 6, 2006, a copy

of which is included with this response.

                                        Respectfully submitted,

Date: January 17, 2006   By: _Richard C. Irving_

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icons or as text, such as ";-)". As shown in FIG. 6, the window 80 includes a sample group of emoticon icons 96. The sender inserts an emoticon into a text message at the location of the cursor 102 by clicking on one of the emoticon icons 100. Alternately, shortcut keys such as <ALT-S> for a smile may be used. The sender may also type in the desired emoticon as text. Emoticon icons 96 save the sender from needing to type three keys, such as ":" and "-" and ")" for a smile. The icons 96 may be either a picture of, say, a winking eye or a icon representation of the characters ";-)" 100, or other information indicating to the sender that clicking on that emoticon icon will insert the associated emotion 103 into the text at the location of the cursor 102.

[0052]   Once the sender composes the text of the message, chooses an animated entity 94, and inserts the desired emoticons 103, he or she generates the multi-media message by clicking on the generate message button 98. The animation server 68 creates an animated video of the selected animated entity 94 for audibly delivering the message. The TTS server 66 converts the text to speech as mentioned above. Emoticons 103 in the message are translated into their corresponding facial expressions such as smiles and nods. The position of an emoticon 103 in the text determines when the facial expression is executed during delivery of the message.

[0053]   Execution of a particular expression preferably occurs before the specific location of the emoticon in the text. This is in contrast to the LifeFX™ system, discussed above, in which the execution of the smile emoticon in the text "Hello, Jonathan :-) how are you?" starts and ends between the words "Jonathan" and "how". In the present invention, the expression of the emoticon begins a predefined number of words or a predefined time before the emoticon's location in the text. Furthermore, the end of the expressions of an emoticon may be a predefined number of words after the location of the emoticon in the text or a predetermined amount of time after the location of the emoticon.

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inserted into the text of the message at the location of the curser 109. In this manner, the multi-media message will contain background images to enhance the presentation of the message. A go button 123 and a stop button 124 are selectable by the sender to indicate a starting and stopping point for presentation of the background image or video. As discussed above relative to the starting and stopping buttons 112, 114 for emoticons, the sender may use an image or video starting button 123 and stopping button 124 to insert starting and stopping icons related to the image/video tag. For example, the sender may insert a start icon at the beginning of the message in window 92 before the words "And this... ." The sender may then insert a stop icon at the location of the cursor 102. The start and stop icons may be any symbol indicative of their function. The duration of the inserted image/video <<picture-1>> will then begin with the words "And this... " and end with the words "loved it!" and, in one aspect, through the presentation of the smile emoticon 103.

[0062]   The web server 62 or other server controlling the sender interaction with the web page 80 may also enter into a dialogue with the sender regarding duration of chosen background images/videos. For example, the sender may insert an image tag 116 and the server may request the sender to highlight the text associated with the image. In this case, for example, the sender highlights the text in text box 92 such that the system displays <<picture - 1>> while presenting the paragraph about the Alps. Such a dialogue is a preferred method to prevent the message text from becoming too complex with start and stop icons associated with emoticons and image tags.

[0063]   Other means are also contemplated for indicating duration of images. For example, a "duration" bar 126 is selectable by the sender for choosing to start the presentation of the chosen image X number of seconds/minutes before the inserted image tag 116 and Y number of seconds/minutes after the inserted position of the image

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choose a position. The window 136 is provided for example only. In the example six positions are shown and preferably the image associated with the inserted tag is shown in the background to assist the sender in choosing an animated entity position. The sender clicks on one of the pictures to indicate where the animated entity should be positioned when "talking" during the presentation of the image associated with the inserted image tag. If the sender desires that the animated entity disappear during the presentation of this image, then an option 138 is available to click on to remove the video portion of the animated entity, thus leaving just the audio during the presentation of that image.

[0067]   Other dialogues are contemplated such as to ask the sender regarding the size of the animated entity or asking the sender to simply click on a position within the image to locate the animated entity. Thus, the important aspect of the invention is the general option provided to the sender to control the position of the animated entity during the presentation of a particular image or video, and not the specific implementation of how that control is offered.

[0068]   Figure 8 illustrates a delivery window 150 viewed by the recipient of the multi-media message. In the window, the sender has inserted an image tag to show an image of a house and trees 154. The sender has also chosen to move the position of the animated entity 152 to the top right hand corner of the image so as to be out of the way of the main features of the image. The animated entity 152 continues to speak and present the message from this position.

[0069]   Another variation of the present invention relates to the options provided to the sender to accessorize the animated entity. In this regard, the sender may choose an animated entity but wish to change or modify its appearance. For example, the sender may want to add a particular pair of sunglasses to the animated entity for a certain humorous effect. Figure 9 illustrates a template 160 showing the chosen animated entity

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162. The sender receives this template if he or she chooses to accessorize from a button (not shown) available on the multi-media message creation window 100 in Figure 6.

[0070] As shown in Figure 9, a listing of accessorizes is shown 164 with instructions to the sender 166 to choose an accessory. Preferably, as the sender clicks, say, on the "glasses" option 167, a drop-down menu, or other type of menu (not shown), will provide a series of images of glasses, both sunglasses and regular glasses. From this drop-down menu, the sender may choose a pair of glasses 168 that will automatically appear on the animated entity 162 for preview. Similarly, when the sender chooses "Hair Style" or any of the other options, further menus will present the available options for choosing. In this manner, the sender may add whatever options he or she wishes to further customize the presentation of the multi-media message. This general structure of the accessory window 160 may of course be modified in a variety of ways to present the sender with accessory options for the animated entity according to the present invention.

[0071] Figure 10 illustrates an exemplary method of enabling a sender to accessorize a chosen animated entity. The method relates to sending a multi-media message from a sender to a recipient, the multi-media message including an animated entity for delivering a message having text. In broad terms, the method comprises providing the sender with options to choose an animated entity from a group of animated entities (170). Once the sender chooses an animated entity to deliver the message, the sender is presented with options to add accessories to the animated entity (172). The sender may be presented with a preview of the animated entity with chosen accessories before the multi-media message is delivered (174). The preview enables the sender to see whether the chosen accessories are acceptable. Once the sender chooses accessories to add to the animated entity, if any, the method comprises delivering the multi-media message to the recipient (176).

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videos are presented as background for the multi-media message. In one aspect of the invention, the predefined images or sender-created images are displayed as background to the animated entity beginning a predetermined number of words prior to the position of the respective tag within the sender text. Other various aspects are discussed above where the background images or videos are shown for a duration chosen by the sender via highlighting a block of text in the message which is then associated with an image or video. The face server 68 and TTS server 66 coordinate the starting and stopping points of the highlighted text and that information is associated with the presentation of a certain image or video.

[0076]   Figure 12 shows another aspect of the present invention. In this aspect of the invention, the method relates to a template used for creating and sending a multi-media message from a sender to a recipient, the multi-media message including an animated entity for delivering a message having text. The method comprises providing the sender with a group of customizable multi-media message templates (220), each template of the groups of templates including predefined parameters comprising a predefined text message, a predefined animated entity, a predefined background, predefined background music, and a predefined set of emoticons within the text of the message. If the sender chooses a customizable multi-media message template, the sender is presented with options to change any of the predefined parameters (222). The predefined parameters may relate to any aspect of the multi-media message presentation such as sound, volume, video clips, still background images, animated entity delivering the message, variations in voice, accent, and language. This list is not meant to be exhaustive as other features may be included.

[0077]   Such templates enable the sender to easily work with a predefined animated entity, background images and even background music. For example, such a template would be advantageous if a sender wants to send an amorous message to a loved one. A

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